

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANTHONY WRIGHT,

Defendant.

Case No. 3:19-cr-005-LRH-WGC

**FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER**

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Defense counsel needs additional time to continue review of discovery material related to Sgt. Carry and to conduct research to determine whether there are any pretrial issues that must be litigated, whether this case will go to trial, or whether it can be resolved through negotiations.

2. Mr. Wright is out of custody and does not object to this continuance.

3. The parties agree to the continuance.

4. The additional time requested herein is not sought for the purposes of delay, but merely to allow counsel for the defendant sufficient time to effectively and thoroughly investigate and prepare Mr. Wright's defense.

5. The additional time requested by this stipulation is excludable in computing the time within which the trial must commence pursuant to the Speedy Trial Act, 18 U.S.C. §3161(h)(7)(A), and considering the factors under 18 U.S.C. §§ 3161(h)(7)(B)(i) and 3161(h)(B)(iv) in that failure to grant this continuance would result in a miscarriage of

1 justice by denying counsel for the Defendant reasonable time necessary for effective
2 preparation.

3
4 **CONCLUSIONS OF LAW**

5 The ends of justice served by granting said continuance outweigh the best interest of the
6 public and the defendant in a speedy trial, since the failure to grant said continuance would be
7 likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the
8 opportunity within which to be able to effectively and thoroughly prepare for trial, taking into
9 account the exercise of due diligence.

10 The continuance sought herein is excludable under the Speedy Trial Act, Title 18,
11 United States Code, Section 3161(h)(7)(A), when the considering the facts under Title 18,
12 United States Code, §§ 316(h)(7)(B) and 3161(h)(7)(B)(iv).

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14 **ORDER**

15 IT IS THEREFORE ORDERED that trial briefs, proposed voir dire questions, proposed
16 jury instructions, and a list of the Government's prospective witnesses must be electronically
17 submitted to the Court by the 7th day of December, 2020, by the hour of 4:00 p.m.

18 IT IS FURTHER ORDERED that the calendar call currently scheduled for September
19 17, 2020, at 8:30 a.m., be vacated and continued to December 3, 2020 at 1:30 p.m.; and the trial
20 currently scheduled for September 29, 2020, at the hour of 8:30 a.m., be vacated and continued
21 to December 14, 2020 at 8:30 a.m.

22 DATED this 25th day of August, 2020.

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UNITED STATES DISTRICT JUDGE

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